



A33251-PCT-USA (071800.0135)
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Michael Peterson
Serial No. : 09/622,385 Examiner : Irene Marx
Filed : November 6, 2000 Group Art Unit : 1651
For : PROCESS FOR PREPARING TRIFLUORO-3(R)-
HYDROXYBUTYRIC ACID DERIVATIVES

RESPONSE

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

January 5, 2004

Date of Deposit

Rochelle K. Seide

Attorney Name

Rochelle K. Seide

Signature

32,300

PTO Reg. No

January 5, 2004

Date of Signature

Mail Stop Issue Fee

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is submitted in response to the Notice of Drawing Inconsistency with Specification mailed December 6, 2004 for the above-identified patent application.

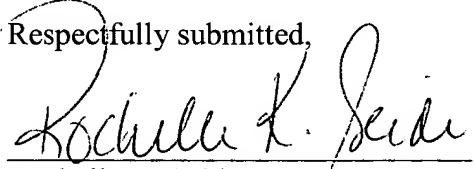


REMARKS

This paper is submitted in response to the Notice of Drawing Inconsistency with Specification ("the Notice") mailed December 6, 2004 for the above-identified patent application. The Examiner has stated that Figures 1 and 2 are listed in the Brief Description of the Drawings in the specification but not contained in the Drawings. It is respectfully submitted that Figures 1 and 2 were included in the International application and also in the translated application originally filed on August 16, 2000. However, in response to the Notice, Applicants submit herewith Figures 1 and 2 as originally filed.

Applicants believe that no fees are due with this communication. In the event that fees are due, the Commissioner is hereby authorized to charge payment of any such fees to Deposit Account No. 02-4377.

Respectfully submitted,


Rochelle K. Seide

Patent Office Reg. No. 32,300

Attorney for Applicant
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BAKER BOTTS LLP

Please type a plus sign (+) inside this box → **+**

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/622,385
Filing Date	August 16, 2000
First Named Inventor	Peterson
Group Art Unit	1651
Examiner Name	Marx, Irene
Total Number of Pages in This Submission	Attorney Docket Number
	A33251-PCT-USA

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group				
<input type="checkbox"/> Fee Attached	<input checked="" type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences				
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)				
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information				
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter				
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):				
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Postcard				
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund					
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____					
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application						
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53						
<table border="1"> <tr> <td>Remarks</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td colspan="2">This paper is submitted in response to the Notice of Drawing Inconsistency with Specification mailed December 6, 2004 for the above-identified patent application.</td> </tr> </table>			Remarks	<input checked="" type="checkbox"/>	This paper is submitted in response to the Notice of Drawing Inconsistency with Specification mailed December 6, 2004 for the above-identified patent application.	
Remarks	<input checked="" type="checkbox"/>					
This paper is submitted in response to the Notice of Drawing Inconsistency with Specification mailed December 6, 2004 for the above-identified patent application.						

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	BakerBotts LLP 30 Rockefeller Plaza New York, NY 10112
Signature	<i>Rochelle K. Seide</i> Att Name: Rochelle K. Seide PTO Reg: 32,300
Date	January 5, 2005

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class
mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on this date: **January 5, 2005**

Typed or printed name	<i>Rochelle K. Seide</i>
Signature	<i>Rochelle K. Seide</i>
Date	January 5, 2005



BAKER BOTTS LLP

Attorney Docket Number: A33251-PCT-USA

Title:

PROCESS FOR PREPARING TRIFLUORO-3(R)-HYDROXYBUTYRIC ACID DERIVATIVES

Use Space Below for Additional Information:

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BAKER BOTTS LLP

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT **(\$)** **0**

Complete if Known

Application Number	09/622,385
Filing Date	August 16, 2000
First Named Inventor	Peterson
Examiner Name	Marx, Irene
Art Unit	1651
Attorney Docket No.	A33251-PCT-USA

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

Deposit Account:

Deposit Account Number	02-4377
Deposit Account Name	Baker Botts LLP

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee required under 37CFR 1.16 and 1.17
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)		(\$) 0			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	- 20 = 0	X 0 = 0	
Multiple Dependent	- 3 = 0	X 0 = 0	

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202	18	2202 9 Claims in excess of 20
1201	86	2201 43 Independent claims in excess of 3
1203	290	2203 145 Multiple dependent claim, if not paid
1204	86	2204 43 ** Reissue independent claims over original patent
1205	18	2205 9 ** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$) 0

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051	130	2051 65 Surcharge - late filing fee or oath	
1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet	
1053	130	1053 130 Non-English specification	
1812	2,520	1812 2,520 For filing a request for ex parte reexamination	
1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action	
1251	110	2251 55 Extension for reply within first month	0
1252	420	2252 210 Extension for reply within second month	
1253	950	2253 475 Extension for reply within third month	
1254	1,480	2254 740 Extension for reply within fourth month	
1255	2,010	2255 1,005 Extension for reply within fifth month	
1401	330	2401 165 Notice of Appeal	
1402	330	2402 165 Filing a brief in support of an appeal	
1403	290	2403 145 Request for oral hearing	
1451	1,510	1451 1,510 Petition to institute a public use proceeding	
1452	110	2452 55 Petition to revive - unavoidable	
1453	1,300	2453 650 Petition to revive - unintentional	
1501	1,330	2501 665 Utility issue fee (or reissue)	
1502	480	2502 240 Design issue fee	
1503	630	2503 315 Plant issue fee	
1460	130	1460 130 Petitions to the Commissioner	
1807	50	1807 50 Processing fee under 37 CFR 1.17(q)	
1806	180	1806 180 Submission of Information Disclosure Stmt	0
8021	40	8021 40 Recording each patent assignment per property (times number of properties)	
1809	770	2809 385 Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810 385 For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801 385 Request for Continued Examination (RCE)	
1802	900	1802 900 Request for expedited examination of a design application	
Other fee (specify)			
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$) 0	

(Complete if applicable)

Name (Print/Type)	Rochelle K. Seide	Registration No. (Attorney/Agent)	32,300	Telephone (212) 408-2626
Signature	Rochelle K. Seide		Date	January 5, 2005